

**FILED**

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FEB 25 2008  
 RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

5 Attorneys for Defendant Johnson Mai

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8 UNITED STATES DISTRICT COURT  
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 UNITED STATES, ) No: 3-06-70479 MAG  
 12 Plaintiff )  
 12 v. )  
 13 JOHNSON MAI, )  
 13 a/k/a Zhi Xiong Mai )  
 14 a/k/a Uncle Hong, )  
 14 a/k/a Chi Hong Mak, )  
 15 a/k/a Hong Suk; )  
 15 LISA LEE, )  
 16 a/k/a Xiao Ling Li; )  
 16 KAI LUN ZHENG, )  
 17 a/k/a Wai Keung Cheung, )  
 17 a/k/a Su Ming, )  
 18 a/k/a Alan Zheng; )  
 18 ZHI EN HUANG, )  
 19 a/k/a Gao Lo; )  
 19 DAVID YUEN, )  
 20 a/k/a Lo Wu, )  
 20 a/k/a Wu So Gor; and )  
 21 ERIC YU HENG CAI )  
 21 Defendants. )  
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*[Signature]*  
 [PROPOSED] ORDER AND STIPULATION  
 FOR CONTINUANCE FROM FEBRUARY  
 26, 2008 TO MARCH 11, 2008 AND  
 EXCLUDING TIME FROM THE SPEEDY  
 TRIAL ACT CALCULATION (18 U.S.C. §  
 3161(h)(8)(A) AND WAIVING TIME  
 LIMITS UNDER RULE 5.1

23 With the agreement of the parties, and with the consent of the defendants, the Court enters this  
 24 order scheduling a status conference on March 11, 2008 at 9:30 a.m. before the duty magistrate judge  
 25 and documenting the defendants' waiver of the preliminary hearing date under Federal Rule of Criminal  
 26 Procedure 5.1 and the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(ii) and  
 27 (iv), from February 26, 2008 to and through March 11, 2008. The parties agree, and the Court finds and  
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1 || holds, as follows:

2       1. The case is very complex and involves international transactions and shipments, foreign  
3 banks and complex monetary transactions, extensive wiretap evidence and conversations in different  
4 Chinese language dialects. There are multiple defendants and discovery is voluminous. All defense  
5 counsel involved are in need of additional time to prepare the case. Furthermore, the government and  
6 defense counsel are actively involved in negotiating the final terms of a global settlement that will  
7 resolve all pending charges and forfeiture claims involving all defendants before the court and  
8 additional time is necessary to seek approval of the proposed plea and forfeiture agreements with the  
9 government.

10 2. All defendants agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §  
11 3161(h)(8)(B)(ii) on the basis of complexity and (iv) continuity of counsel for effective preparation  
12 taking into account the exercise of due diligence.

13       3. The defendants waive the time limits of Federal Rule of Criminal Procedure 5.1 for  
14 preliminary hearing.

15       4. Accordingly, and with the consent of all parties, the Court (1) alternatively sets a  
16 preliminary hearing before the duty magistrate judge on March 11, 2008 at 9:30 a.m. and (2) orders that  
17 the period from February 26, 2008 to and through March 11, 2008 be excluded from the time period for  
18 preliminary hearings under Federal Rule of Criminal Procedure 5.1 and from Speedy Trial Act  
19 calculations under 18 U.S.C. § 3161(b).

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## 21 || IT IS SO STIPULATED:

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DATED: February 21, 2008

/s/      Garrick Lew

75 Garrick L  
GARRICK LEW

Attorney for Defendant Johnson Mai

DATED: February 21, 2008

/s/ Gil Eisenberg

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GL EISENBERG

Attorney for Defendant Kai Lun Zheng

DATED: February 21, 2008

/s/ Brian Getz

73/ Brian C.  
BRIAN GETZ

Attorney for Zhi En Huang

1 DATED: February 21, 2008

/s/ Stuart Hanlon

STUART HANLON  
Attorney for David Yuen

2

3 DATED: February 21, 2008

/s/ Randy Montesano

RANDY MONTESANO  
Attorney for Eric Cai

4

5 DATED: February 21, 2008

/s/ Alice Wong

ALICE WONG  
Attorney for Lisa Lee

6

7

8 DATED: February 21, 2008

/s/ Thomas Mazzucco

THOMAS MAZZUCCO  
Assistant United States Attorney

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IT IS SO ORDERED.

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14 DATED:

15 *2-25-08*

  
United States Magistrate Judge

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28 Stipulation and Proposed Order for Continuance  
[3-06-70479] [MAG]